

REMARKS

Claims 1-68 are pending. Claims 32 and 36 are herein amended.

Claims 1-68 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over co-pending U.S. Application No. 10/015,501 (“the ’501 application”).

The Applicant traverses this rejection.

In the ’501 application, each of the independent claims 1, 17, 33, 41, 42, 53, 54, and 56 recite the limitation of “generate” or “generating” one or more interfaces. The Applicant respectfully submits that this non-trivial and distinct limitation is not recited in any of the present application’s claims 1-68. The Applicant further notes that claim 57 of the ’501 application (which did not recite the limitation of “generate” or “generating” one or more interfaces) will be cancelled in the next office action response for that application. Also, independent claim 54 of the ’501 application will be amended in the next office action response for that application to recite “... generating and publishing at least a second SOAP interface” (which previously recited “... generating or publishing”). The Applicant kindly requests the examiner to access the ’501 application to confirm the cancellation of claim 57 and amendment to claim 54 in that ‘application.

For at least these reasons, the Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

Claim 36 was rejected under 35 U.S.C. § 112, p.2, the Examiner noting that “the remedial” lacks sufficient antecedent basis.

The Applicant has amended the claim 36 accordingly (by correcting its dependency), and respectfully requests the Examiner to reconsider and withdraw this rejection.

Claims 1-3, 5, 15, and 23-68 were rejected under 35 U.S.C. § 102(e) as being anticipated by Atwal (U.S. Patent Application 2003/0061404). Also, claims 4, 6-14, 16-21, 26, and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Atwal in further view of Della-Libera (U.S. Patent Application 2003/0074579).

Although the Applicant believes that the claimed invention is patentably distinct over the

cited references for a number of reasons, the Applicant is herein providing a Declaration of Fact under 37 C.F.R. § 1.131, so as to swear behind each of the cited references. In particular, the earliest priority date of Atwal is September 21, 2001 and the earliest priority date of Della-Libera is October 16, 2001. As will be seen upon review of the attached Rule 131 Declaration, the claimed invention was both conceived of and constructively reduced to practice prior to September 21, 2001.

For at least these reasons, the Applicant respectfully requests the Examiner to reconsider and withdraw these rejections.

Based on the above amendment and remarks, the Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 1-68. Favorable action is solicited. The Applicant kindly invites the Examiner to contact the undersigned attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,
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Date: June 23, 2006

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